



STATE OF MICHIGAN  
DEPARTMENT OF HUMAN SERVICES  
LANSING

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**MICHIGAN IV-D ACTION TRANSMITTAL 2006-046**

**TO:** All Office of Child Support (OCS) Staff  
All Friend of the Court (FOC) Staff  
All Prosecuting Attorney (PA) Staff

**FROM:** Marilyn F. Stephen, Director  
Office of Child Support

**DATE:** June 5, 2006

**SUBJECT:** OCS Customer Complaint Process

**PURPOSE:**

This Action Transmittal (AT) describes the administrative complaint process for recipients of IV-D services who have sent a complaint to OCS.<sup>1</sup> This complaint process includes actions taken by OCS staff concerning child support issues. This AT also introduces the process that customers (complainants) must follow when they file a complaint with OCS.

**BACKGROUND:**

The Program Leadership Group (PLG) directed that OCS Program Development Division (PDD) staff develop a complaint process for the child support program. This complaint process is to be used in conjunction with civil service requirements, Department of Human Services (DHS) human resource requirements, and any other labor/union agreement process affected by the filing of a complaint. When a complaint is determined to be an issue of one of the other IV-D child support partners (State Court Administrative Office [SCAO], PA office, or FOC), OCS staff will forward it to the respective office. The OCS grievance procedure is supplemental to, and does not

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<sup>1</sup> **45 Code of Federal Regulations (CFR) 303.35 Administrative complaint procedure.** (a) Each State must have in place an administrative complaint procedure, defined by the State, to allow individuals the opportunity to request an administrative review, and take appropriate action when there is perceived evidence that an error has occurred or an action should have been taken on their case. This includes individuals in the State and individuals from other States. (b) A State need not establish a formal hearing process but must have clear procedures in place. The State must notify individuals of the procedures, make them available for recipients of IV-D services to use when requesting such a review, and use them for notifying recipients of the results of the review and any action taken.

replace, the statutory FOC grievance process or other IV-D child support partner complaint processes.<sup>2</sup>

The Michigan State Disbursement Unit (MiSDU) and OCS Central Operations Division staff will continue to be the **initial** or first line of dispute resolution for OCS. If at any time the complainant wishes to file a formal (written) complaint, OCS staff will elevate the written complaint using this complaint process. All customers have the right to elevate the complaint process whenever the department decision affecting their eligibility or benefit levels appears to be in error. Once a complaint is elevated to OCS in writing, OCS staff will also maintain records of complaints determined to be against OCS.

## **DEFINITIONS:**

**Complaint** – A claim concerning perceived evidence of errors, or services or actions that should have been performed by an OCS staff person on an individual's case.<sup>3</sup>

**Grievance** – A claim concerning FOC operations or FOC employees.

## **COMPLAINT PROCEDURE:**

### **Complainant Responsibilities**

1.0 To file a formal complaint, a complainant must:

1.1 Document his/her issue in writing using the *Statement of Complaint* (DHS-547),<sup>4</sup> and

1.2 Mail the DHS-547 form to:<sup>5</sup>

Michigan Department of Human Services  
Office of Child Support  
Attention: Complaint Review Department  
235 S. Grand Ave., Ste. 1215  
P.O. Box 30478  
Lansing, MI 48909-7978

**Note:** When a complaint is received without the form attached, OCS staff will complete the complainant's personal data information on the DHS-547 and attach it to the complainant's initial written complaint. When more information is needed, OCS staff will contact the complainant for additional information.

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<sup>2</sup> Ref: SCAO Complaints and Comments Web page at: <http://courts.michigan.gov/scao/complaints/>.

<sup>3</sup> Complaints determined to be against the PA office will be forwarded to the contact person at the local PA office.

<sup>4</sup> Ref: Attachment 1.

<sup>5</sup> When other IV-D child support partners receive complaints against OCS, the partners will forward the complaints to this address.

## **OCS General Office Assistant (GOA) Responsibilities**

- 2.0 Upon receipt of the complaint, the GOA will send the DHS-547 form via interoffice mail to the Central Functions Unit (CFU) manager for processing.

## **CFU Manager Responsibilities**

- 3.0 The CFU manager will log the complaint in the DHS Correspondence Tracking System III (CTS) within three business days.<sup>6</sup> The CFU manager will review the complaint to determine which IV-D child support partner the complaint is against.
- 3.1 If the CFU manager determines the complaint to be against the PA office or a grievance against the FOC, (s)he will:
- 3.1.1 Contact the local office to determine the local contact person.
- 3.1.2 Develop a response indicating:
- To which IV-D child support partner the complaint will be forwarded;
  - Contact information for the IV-D child support partner resolving the complaint; and
  - A reference to the SCAO Complaints and Comments Web page at: <http://courts.michigan.gov/scao/complaints/> if OCS staff are forwarding the grievance to an FOC.
- 3.1.3 Prepare the OCS complaint packet. The complaint packet consists of:
- A copy of the letter received from the complainant;<sup>7</sup> and
  - A copy of the OCS written response.
- 3.1.4 Forward the complaint packet to the appropriate local contact person.
- 3.1.5 Provide the complaint packet to the complainant, informing him/her that the matter has been forwarded to the appropriate IV-D child support partner.
- 3.1.6 Update the CTS log by marking the complaint as resolved, with information as to whom the complaint was forwarded.

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<sup>6</sup> CTS is the software tool used to record the receipt of a complaint, track the responsible office and the assigned staff person, and record the final outcome or response to that complaint.

<sup>7</sup> The original complaint letter will be in the packet sent to the complainant; a copy of the letter will be in the packet sent to the IV-D child support partner.

- 3.2 If the CFU manager determines the complaint is an issue against OCS,<sup>8</sup> then (s)he will:
  - 3.2.1 Forward the complaint to the appropriate OCS unit manager for action (the unit manager has 20 business days to complete the review); and
  - 3.2.2 Close out the complaint on the CTS when a copy of the response is received from the OCS unit manager.
- 3.3 Each month, the Central Operations Division manager will provide the OCS director and the Executive Management Team (EMT) with totals of complaints received and their respective dispositions.

### **Misdirected Complaints or Grievances**

- 4.0 If an FOC or PA worker believes a grievance/complaint should not have been sent to his/her local office for processing (s)he may:
  - 4.1 First, contact OCS in an attempt to resolve the discrepancy.
  - 4.2 Second, forward it to the PLG for a redetermination by sending it to:

Michigan Department of Human Services  
Office of Child Support  
Attention: PLG Facilitator/Scribe  
235 S. Grand Ave., Ste. 1215  
P.O. Box 30478  
Lansing, MI 48909-7978
  - 4.3 Upon receipt of the requested redetermination from the FOC or PA:
    - 4.3.1 The PLG Facilitator/Scribe will add the complaint/grievance on the agenda for the next regularly scheduled PLG meeting. At this meeting, the PLG will determine whether the complaint/grievance was sent to the correct office for processing.
    - 4.3.2 If the PLG agrees that the matter belongs to the FOC or PA, the PLG Facilitator/Scribe will return the complaint along with an explanation from the PLG; or

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<sup>8</sup> IV-D child support partners may ask the PLG to review and redirect a complaint/grievance sent to the IV-D partner. If so determined, the PLG may send the partner-returned complaint to the CFU manager for redirection to an OCS unit manager (e.g., Special Initiatives Unit manager or Central Enforcement Unit manager).

- 4.3.3 If the PLG determines that the complaint/grievance was incorrectly forwarded, the PLG Facilitator/Scribe will send the complaint/grievance to the CFU manager along with an explanation from the PLG.

Note: The PLG reserves the right to redirect the complaint/grievance to more than one IV-D child support partner for resolution.

## **OCS Unit Manager Responsibilities**

- 5.0 Once the OCS unit manager investigates the complaint thoroughly, (s)he determines whether the unit in question complied with state laws, federal regulations, OCS policy and procedures, and/or contractual requirements, and makes a determination to either substantiate the claim or deny the findings.
- 5.1 If the complaint is substantiated, the OCS unit manager will:<sup>9</sup>
- 5.1.1 Develop a written corrective action plan that includes the problem, corrective action(s), and a timeline;
  - 5.1.2 Obtain appropriate organizational unit approval;
  - 5.1.3 Implement the necessary corrective action;
  - 5.1.4 Provide to the complainant a written response<sup>10</sup> that includes a summary of the action taken on the complaint; and
  - 5.1.5 Send a copy of the response to the CFU manager.
- 5.2 If the complaint is denied and the OCS unit manager has concluded the investigation, (s)he will:
- 5.2.1 Provide to the complainant a written response;<sup>11</sup> and
  - 5.2.2 Send a copy of the response to the CFU manager.

## **LEGAL REFERENCES:**

Federal  
45 CFR 303.35

State  
Michigan Compiled Law (MCL) 552.526

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<sup>9</sup> If the complaint is determined to be an employee conduct-related matter, the employee's OCS unit manager will review the complaint in relation to civil service requirements, DHS human resource requirements and any labor/union agreements and implement the necessary corrective action.

<sup>10</sup> The OCS unit manager will obtain an OCS division manager's approval of the written response.

<sup>11</sup> The OCS unit manager will obtain an OCS division manager's approval of the written response.

**POLICY REFERENCE:** SCAO *Complaints and Comments*:  
<http://courts.michigan.gov/scao/complaints/>

**AT MAINTENANCE:** Retain AT until further notice.

**EFFECTIVE DATE:** Effective upon receipt.

**REVIEW PARTICIPANTS:** Enforcement Work Improvement Team  
Friend of the Court Association Review Board  
PLG

**CONTACT PERSON:** Cynthia Jackson  
Departmental Analyst  
[Jacksonc11@michigan.gov](mailto:Jacksonc11@michigan.gov)  
(517) 373-3408

**CC:** None

**ATTACHMENTS:** Attachment 1 – *Statement of Complaint* (DHS-547)  
Attachment 2 – Formal Child Support Complaint  
Process

**MFS/CJ**